

Questions and Answers

Q1: In the Statement of Work, paragraph C.9, specifically the third paragraph, the USPTO states “The earliest these optional deliverables may be exercised would be such that Phase 1 would begin no earlier than January 2006 and Phase 2 would commence at least one year thereafter.” Is it possible that these dates could change?

A1: Amendment 002 re-writes paragraph C.9, third paragraph, first sentence to read as follows: “The earliest these optional deliverables may be exercised would be such that Phase 1 would begin no earlier than January 2006 and Phase 2 would commence no earlier than January 2007.”

The USPTO anticipates exercising Phase 1 and Phase 2 sequentially for budgetary and technical reasons. The transition to Phase 1 requires the capture and conversion of applications much earlier than the current Pre-Grant Publication process, thus the funds must be obligated earlier as well. The development of USPTO systems to utilize the new deliverables from Phase 2 in the examination process requires substantial time and investment to develop, pilot and deploy these systems. It is possible, if budgetary and technical situations change, that these dates could change by moving further apart, closer together or, in the extreme, collapsing into a single date for the implementation of Phases 1 and 2 but not before January 2007.

Q2: Section C.9, “Future Patent Application Deliverables” mentions “working with the USPTO to create *new searchable text deliverables* that the USPTO expects to integrate with existing and newly developed tools”. How is “searchable text” defined?

A2: Section J.1 refers to the Red Book ICE (International Common Elements) standard which defines the XML structure that the publication is to follow. This is the standard for generating marked up searchable text for patented and published applications. That standard was developed with the historical knowledge of patent publication documents at the USPTO and our Trilateral Partners to allow for automation, enhanced processing and data exchange.

The Contractor shall use ICE to structure the searchable text patent application documents. For elements of patent applications and other documents not currently covered by ICE (e.g. incoming and outgoing text-based documents such as amendments, office actions, petitions, requests for reconsideration, appeal briefs, reply briefs, etc., and certain form-based documents such as informational disclosure statements, examiner cited references, office action summary, and certain petitions), the USPTO will provide the Contractor with supplementary specifications that will be similar to ICE.

For responding to this RFP, potential offerors should assume a similar level of effort to current ICE standards for elements of patent applications and other documents not currently covered by ICE.

Q3: In the Statement of Work, paragraph C.9.1, specifically the first paragraph, the USPTO states “This process will occur in conjunction with the Pre-Grant Publication as outlined in the Pre-Grant section. The USPTO will continue to provide a Pre-Grant Publication export of all eligible applications (Utility and Plant only) 9 weeks prior to the projected publication date.” What is the schedule/transition plan for converting from the legacy process to that of C.9.1?

A3: The phrase refers to the transition process from the current Pre-Grant process to the new process defined in paragraph C.9.1. If this option were exercised, all subsequently filed applications would be captured and converted using all documents available as-filed upon export of the electronic images. This export will occur soon after the application is uploaded into the IFW system. For these applications, the contractor will be providing the deliverable, and will be using this data capture and conversion for subsequent re-use in Pre-Grant and Patent Grant publication for those documents that are so published. Applications filed prior to the exercise of this optional requirement will be captured and converted

according to the current Pre-Grant Publication process at the appropriate time frame for each application going through the publication process, which currently is 9 weeks prior to the projected publication date.

Q4: In paragraph C.11 of the Statement of Work, USPTO states: “As another example the USPTO anticipates a change in the current methodology of capturing and producing deliverables for bi-tonal, grayscale, and color documents.” Can you clarify the nature of this change?

A4: The USPTO currently processes color drawings and photographs and black and white photographs as part of patent applications. The current process for capturing and processing these is described in detail in the Technical References of this RFP.

In the future, USPTO anticipates a change to process these documents electronically. Specifically, USPTO expects to scan and store grayscale and color documents and to use published versions of the same in its search databases. While the complete specifications have not been developed, some of the known aspects are:

1. Color and grayscale depth: 8-bit depth will be used for USPTO internal use and display, for international exchange, and Internet public access. Contractors may use a higher standard provided it may be translated to 8-bit depth for USPTO use.

2. Format: Color TIFF format (Tagged Image File Format standard, Revision 6, June 3, 1992) will be used for USPTO internal use and display, for international exchange, and Internet public access. Contractors may use a different format provided it is non-lossy and that it may be translated to Color TIFF for USPTO use.

3. Resolution: 300 ppi (pixels per inch) is sufficient for USPTO internal use and display, for international exchange, and Internet public access. Contractors may use a higher standard provided it may be translated to 300 ppi for USPTO use.

4. Document Types: Color drawings and photographs and black and white photographs may occur in various patent application types as described in the Technical References. Capture of this material in grayscale or color instead of in bi-tonal form will be on a page-by-page basis and infrequently on a document basis.

Item to capture	How captured
1. Color Photograph	Color TIFF
2. Color Drawing	Color TIFF
3. B&W photograph	Gray-scale
4. Red-line drawing changes in amendment	Color TIFF
5. Examiner Red-line change to drawing in Office Action	Color TIFF
6. NPL (plant applications only) with color	Color TIFF

New application papers and follow-on papers, submitted electronically by applicant or received electronically via priority document exchange, containing color or gray-scale information received in standard supported image formats will be converted to color TIFF images.

Q5: Section L.17.2 specifies General Instructions for the Preparation of Proposals. Specifically the question speaks to the following: "The type for all documents submitted (including charts and graphs) shall be black, shall not exceed ..." Nothing explicitly is stated about the use of color. The use of color, we believe would enhance the value & understanding of flow diagrams and graphs. We are seeking clarification on this point. Understanding that fonts should be black, is it acceptable to use color in the charts & graphs as box fill-ins and graph lines?

A5: Yes. Color is acceptable for use in charts & graphs as box fill-ins and graph lines.

Q6: Section L.17.3.3 - Under the Technical Approach Section L.17.3, there are two sections labeled the same (L.17.3.3):

- 1) Small Business Subcontracting Plan Proposal Instructions or Teaming Plan Instructions
- 2) Transition Plan.

In the Price Proposal section L.17.6, Section L.17.6.3 covers Small Business and Small Disadvantaged Business Subcontracting Plan. This appears to be duplicative. Is it the intention to include Small Business responses in both the Technical Approach section and the Price Proposal section? Is there some distinction that the USPTO is looking for in the two separate submissions?

A6: See Amendment 002, which deletes paragraph L.17.6.3.